	Application No.	Applicant(s)
Notice of Allowability	10/620,085	KAWAHARA ET AL.
	Examiner	Art Unit
	Andrea N. Long	2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *10/17/2008*.

2. ☒ The allowed claim(s) is/are *1, 3-7 renumbered 1-6 respectively*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All   b) ☐ Some*   c) ☐ None   of the:
       1. ☐ Certified copies of the priority documents have been received.
       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
       3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the
           International Bureau (PCT Rule 17.2(a)).
      * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
       1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of
       Paper No./Mail Date _____ .
   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)
1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____ .
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____ .

/Rachna S Desai/
Primary Examiner, Art Unit 2176

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William Frommer on 12/23/2008.

The claims should be amended as follows:

1. (Currently Amended) A data processing apparatus for processing audio visual data made up of video and audio data, said data processing apparatus comprising;

receiving means for receiving edit procedure data including an edit command specifying how to edit said audio visual data and whether said audio visual data is to be edited synchronously or asynchronously;

analyzing means for analyzing said edit procedure data to recognize whether the edit command is a synchronous or asynchronous edit command in the edit procedure data;

editing means for editing said audio visual data synchronously or asynchronously in accordance with said edit command;

determining means for determining when said edit command specifies an

asynchronous command for coping of said audio visual data and for determining when

said edit command specifies a synchronous command for editing said audio visual data;

at least one recording/reproducing means having a recording medium for

recording audio visual data on or reproducing audio visual data from said recording

medium; and

controlling means which, if when said edit command is determined to be an

asynchronous copy command, then transfers said audio visual data from a copy source

formed by at least one of said recording/reproducing means to a copy destination

formed by either the same or another of said recording/reproducing means, without

synchronizing the two recording/reproducing means and the editing means in operation;

and

if when said edit command is determined to specify a synchronous editing action,

then transfers the unedited audio visual data reproduced from said at least one

recording/reproducing means to said editing means for the specified synchronous

editing action, and transfers the thus-edited audio visual data coming from said editing

means to either the same or another of said recording/reproducing means for storage

therein, while synchronizing said editing means and the two recording/reproducing

means in operation.

6. (Currently Amended) A data processing method for processing audio visual

data made up of video and audio data, said data processing method comprising the

steps of:

receiving edit procedure data including an edit command specifying how to edit

said audio visual data and whether said audio visual data is to be edited synchronously

or asynchronously;

analyzing said edit procedure data to recognize whether the edit command is a

synchronous or asynchronous edit command in the edit procedure data;

editing said audio visual data synchronously or asynchronously in accordance

with said edit command using editing means;

determining when said edit command specifies an asynchronous command for

coping of said audio visual data and for determining when said edit command specifies

a synchronous command for editing said audio visual data;

if when said edit command is determined to be an asynchronous copy command,

then transferring said audio visual data from a copy source formed by one of at least

one recording/reproducing means for recording or reproducing said audio visual data, to

a copy destination formed by either the same or another recording/reproducing means,

without synchronizing the two recording/reproducing means and the editing means in

operation; and

if when said edit command is determined to specify a synchronous editing action,

then transferring the unedited audio visual data reproduced from one of said at least

one recording/reproducing means to said editing means for the specified synchronous

editing action, and transferring the thus-edited audio visual data coming from said

editing means to either the same or another of recording/reproducing means for storage

therein, while synchronizing said editing means and the two recording/reproducing

means in operation.

        7. (Currently Amended) A program embedded in a computer-readable <u>storage</u>

medium for causing a computer to execute a data processing method for processing

audio visual data made up of video and audio data, said data processing method

comprising the steps of:

        analyzing edit procedure data to recognize whether the edit command included

therein is a synchronous or asynchronous edit command;

        editing said audio visual data synchronously or asynchronously in accordance

with said edit command specifying how to edit said audio visual data, using editing

means;

        determining when said edit command specifies an asynchronous command for

coping of said audio visual data and for determining when said edit command specifies

a synchronous command for editing said audio visual data;

        ~~if~~ <u>when</u> said edit command is determined to be an asynchronous copy command,

then transferring said audio visual data from a copy source formed by one of at least

one recording/reproducing means for recording or reproducing said audio visual data, to

a copy destination formed by either the same or another recording/reproducing means,

without synchronizing the two recording/reproducing means and the editing means in

operation; and

~~if~~ <u>when</u> said edit command is determined to specify a synchronous editing action,

then transferring the unedited audio visual data reproduced from one of said at least

one recording/reproducing means to said editing means for the specified synchronous

editing action, and transferring the thus-edited audio visual data coming from said

editing means to either the same or another of recording/reproducing means for storage

therein, while synchronizing said editing means and the two recording/reproducing

means in operation.

❖   It is noted that paragraph [0048] of the Applicant's published application

discloses that the drive deck editor is constituted by an editing apparatus that

incorporates drives 1_1 through 1_3. The editing apparatus edits AV data, and the drives

1_1 through 1_3 serve as recording/reproducing apparatus for recording or reproducing AV

data and therefore provided supports for the recording/reproducing means as recited in

claim 1, as hardware.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrea N. Long whose telephone number is 571-270-1055. The examiner can normally be reached on Mon - Thurs 6:00 am to 3:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Andrea N Long/
Examiner, Art Unit 2176

/Rachna S Desai/
Primary Examiner, Art Unit 2176